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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,067	07/10/2000	Mitsuru Nagasaka	450100-02611	9087

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FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER

NGUYEN BA, HOANG VU A

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.		Applicant(s)	
	09/613,067		NAGASAKA ET AL.	
	Examiner		Art Unit	
	Hoang-Vu A. Nguyen-Ba		2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment filed December 21, 2006.
2. Claims 1-13 remain pending. Claims 1, 6, 11, 12 and 13 are independent claims.

Response to Amendments

3. Per Applicants' request, claims 1, 6, 11, 12 and 13 have been amended.

Response to Arguments

4. Applicant's arguments filed December 21, 2006 have been fully considered but they are not persuasive. The following is an examiner's response to Applicants' arguments.

According to Applicants, Claim 1 recites, *inter alia*:

"... wherein said user preference information includes a plurality of registration patterns,
wherein the registration pattern is pre-selected information corresponding to an event and a timing of the event and limits the headline information that is to be searched..."

Applicants submit that nothing has been found in Williams, Anderson, or Bedard, taken alone or in combination, that discloses or suggests the above-identified features of claim 1. Specifically, Applicants submit that Williams, Anderson and Bedard fail to teach or suggest that said user preference information includes a plurality of registration patterns, wherein the registration pattern is pre-selected information corresponding to an event and a timing of the event and limits the headline information that is to be searched, as recited in claim 1. Therefore, claim 1 is patentable.

Applicants further submit that for reasons similar to those described above, independent claims 6 and 11-13 are believed to be patentable.

In response to Applicants' arguments, the examiner respectfully notes the following:

- a. the limitation "wherein said user preference information includes a plurality of registration patterns, wherein the registration pattern corresponds to an event and limits the headline information that is to be searched..." has been fully addressed in the Office action mailed on May 26, 2006 at page 5 and in the Office action mailed on September 22, 2006 at page 2;
- b. the newly added limitation "pre-selected information corresponding to an event and a timing of the event" is considered to be taught or suggested by at least Williams at 5:59-66 "... user profile database tracks user preferred channels, ..., and whether supplemental programming is requested with a particular channel..." A Google term definition search (i.e., **define: programming**) lists the following definition: "scheduling: setting an order and time for planned events." Thus, the claimed "pre-selected information" and "a timing of the event" aspects of Applicants' invention are deemed anticipated by Williams' teaching of "whether supplemental programming is requested with a particular channel."

Therefore, the rejection of Claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Williams in view of Anderson and Bedard is considered to be proper and thus maintained.

The rejection of Claims 6 and 11-13 under 35 U.S.C. § 103(a) as being unpatentable over Williams in view of Anderson and Bedard is maintained for the same reasons.

See Office action mailed September 22, 2006 for detailed rejections of claims 1-13.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang-Vu "Antony" Nguyen-Ba whose telephone number is (571) 272-3701. The examiner can normally be reached on Tuesday-Friday from 7:05 am to 5:35 pm.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, John Miller can be reached at (571) 272-7353.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2600 Group receptionist (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Anthony Nguyen-Ba", written in a cursive style.

ANTONY NGUYEN-BA
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100

March 29, 2007